

WASHINGTON STATE BOARD OF OPTOMETRY
Minutes of Meeting

A meeting of the Washington State Board of Optometry was called to order at 9:00, on December 6, 2002, by R. Richard Ryan, Jr., O.D., Chair. The meeting was held in the Department of Health Administrative Offices, 20435 72nd S, Second Floor, Kent Washington, Conference Room One.

BOARD MEMBERS

PRESENT: **R. Richard Ryan, O.D., Chair**
 Jeffrey Sutro, O.D.
 Lund Chin, O.D.
 Thomas Riley, O.D.

STAFF PRESENT: **James McLaughlin, Assistant Attorney General**
 Marc Defreyn, Assistant Attorney General
 Judy Haenke, Program Manager
 Melissa Quirke, Administrative Assistant

OTHERS PRESENT: **Sherri Luster, LDO – Walmart Vision**
 Sherri Egashira, O.D. – Optometric Physicians of Washington
 Diane Charles – LDO – Opticians Association of Washington

OPEN SESSION:

- 1. Call to Order**
 - 1.1 Approval of Agenda
The agenda was approved with the following changes:
Item 8, Executive Director Report was deleted.
- 2. Role of the Hearing Panel Member During Board Disciplinary Hearings – Marc Defreyn, AAG**

Marc Defreyn, Assistant Attorney General Advisor explained the functions and roles played by the members of the Board when serving on a hearing panel for a disciplinary proceeding.
- 3. Felony and Gross Misdemeanor Convictions, HPQA Policy Number D 30.01**

At its September meeting, the Board was asked to review this policy and consider adopting it for use when considering felony and gross misdemeanor convictions. The Board deferred adopting the policy until it could consider the position taken by other healthcare boards and commissions.

Following discussion the Board determined that, rather than formally adopt the policy, it would be used as a reference for consideration when applicable to an applicant or licensee.

4. **Request for clarification of WAC 246-851-170 Credit for preprogrammed educational material. Distinction between continuing education course requirements in Paragraph (1) and Paragraph (2) of this rule.**
Several inquiries have been received questioning the interpretation of WAC 246-851-170 regarding credit for preprogrammed education material in light of a new publication that offers correspondence courses both through regular mail and electronically.

The Board reviewed the education offered by Contemporary Optometry, a monthly publication, and approved it under paragraph (2) which allows up to twenty-five credits hours during a regular two-year reporting period.

The Board further determined that a review of rules relating to preprogrammed educational material and credit hours available for review of publications will be undertaken at its meeting on March 14, 2003.

5. **Review of Interpretive Statement request**
The Department has received a request for an interpretive statement to consider whether corneal reshaping with contact lenses to correct low and moderate myopia is within the scope of practice of a dispensing optician. Since optometry has been identified as a profession impacted by the issue, the Board has been asked to provide feedback as to whether optometry may have an overlapping scope of practice issue or other potential issue.

The Board requested more information on this issue in order to make a more informed response. Additional information will be obtained and this matter will be scheduled for further discussion at the March 14, 2003, Board meeting.

6. **Discussion of incentive programs offered by lens manufacturers.**
The Board continued this discussion from its September 15, 2002, meeting. As part of the discussion, the Board considered the PhRMA Code on Interactions with Health care Professionals and RCW 18.130.180(25).

Following discussion, the Board agreed that it would remain aware of the professional standards of other recognized organizations and would deal with individual issues as they may arise.

7. **Non-corrective cosmetic contact lenses**
The Board reviewed a proposed Department of Health draft letter addressing unlicensed dispensers of non-corrective lenses who are selling the lenses directly to consumers without a prescription or proper fitting by a licensed eye care professional.

The Board endorsed the letter but added that a reference to licensed physicians should be included when referring to prescribers

**8. Report on Boards, Commissions, and Committees Conference
October 3, 2002**

8.1 At this annual conference the morning workshop related to challenges to consistent sanctioning in board orders. As a result of this discussion, it was recommended that Boards and Commissions develop a history of disciplinary actions. Staff will prepare the document which will initially include the type of charges, the type of order and the sanctions.

8.2 The afternoon session focused on the pros and cons of public members on boards and the optimum ratio of public members to practitioner members. The Board deferred discussion until the March meeting when Bernice Hoptowit, the Public Member, will be present and can participate in the discussion and recommendation.

8.3 On behalf of the Board, Dr. Ryan completed a Department of Health Survey relating to topics at future conferences.

9. Correspondence

The Board approved a request from Gregory Scott, O.D. for a three-month extension to complete his continuing education requirement.

10. Post Graduate Education Seminar- 2003

10.1 The Board finalized the seminar program for the March 15-16, 2003 seminar. Notices for the seminar will be mailed to active licensees in mid January 2003.

10.2 Finalize Seminar Survey

The Board amended and finalized the proposed draft survey which will be mailed along with the seminar notice. The purpose of the survey is to query licensees on their method and preference of obtaining post-graduate education.

11. Presentation of disciplinary orders.

Jim McLaughlin, Assistant Attorney General presented an Order to the Board for consideration. The Board adjourned to Executive Session for approximately fifteen to consider the Order.

12. Continuing Education Courses

12.1 Review of courses submitted for approval.
The Board approved the following courses:

"Coding and Billing Seminar" a lecture by Theresa Vandre. submitted by TLC Northwest Eye Surgeons. Presented on November 1, 2002, November 15, 2002, and January 17, 2003, in Mt. Vernon, Renton, and Seattle, Washington. Approved for 4 hours each session.

"Technological and Medical Innovations: Changing Trends in Clinical Care" a lecture by Northwest Eye Surgeons, submitted by TLC Northwest Eye Surgeons, presented on November 21, 2002, in Woodinville, Washington. Approved for 4 hours.

Lecture series presented by the Association for Research in Vision and Ophthalmology. Submitted by Yi Li, O.D, presented on May 5-10, 2002, in Ft. Lauderdale, Florida. Approved for 16 hours.

"Current Cataract Surgery Techniques: " a lecture by Jim McNeill, M.D., "Comanagement of retinal Vascular Disease Fluorescein Angiography Case Analysis" a lecture by Maynard Pohl O.D., submitted by Pacific Cataract and Laser Institute, presented on Lewiston, Idaho. Approved for 4 hours.

"AREDS: Age Related Eye Disease Study" a lecture by Ben Stoenner, O.D., course submitted by Pacific Cataract and Laser Institute, presented on September 5, 2002, in Chehalis, Washington. Approved for one hour.

"Topics in Refractive Surgery" a lecture by Bill Gruzensky, M.D., course submitted by Pacific Cataract and Laser Institute, presented on September 6, 2002, in Tacoma, Washington. Approved for two hours.

"Diabetes Mellitus Update" a lecture by Mary C. Newman, M.D., course submitted by Pacific Cataract and Laser Institute, presented on October 9, 2002, in Chehalis, Washington. Approved for one hour.

"Managing Ocular Manifestations of Systemic Disease" a lecture by Maynard Pohl, O.D., "Oral Medication Update for the Optometric Physician" a lecture by Douglas Hansen, O.D. and "Atypical Refractive and Lens Surgeries: case Reports" a lecture by Douglas Hansen, O.D., courses submitted by The Doctor's Exchange of Washington, presented on September 16, 2002, in Seattle Washington. Approved for 4 hours.

"Pre and Post Operative Care of the Cataract Patient" a lecture by Robert Gibbs, O.D. and Jim Gusek, M.D., submitted by Pacific Cataract and Laser Institute. Presented on November 12, 2002, in Wenatchee, Washington, approved for two hours

"Current Treatment Strategies for Glaucoma" a lecture by Paul Chung, M.D., submitted by Pacific Cataract and Laser Institute. Presented on November 12, 2002, in Tacoma, Washington, approved for two hours.

"Atypical Refractive and Lens Surgery Cases" a lecture by Rick Burk, O.D. submitted by Pacific Cataract and Laser Institute. Presented on November 14, 2002, in Tualatin, OR, approved for one hour.

"SUMMER BEST APPROACH" a lecture series by Group Health, submitted by Robert Brakke, O.D., presented on August 12-14, 2002, in Glenden Beach, Oregon. Approved for 12 hours.

"Reduce Intaoperative LASIK Risks and Postoperative Complications" a lecture presented and submitted by Shawn Britain, O.D. Approved for one hour.

"Medical Ethics" a lecture sponsored by Group Health. Presented on December 13, 2002, in Seattle, Washington. Approved for 6.5 hours.

12.2 Designation of reviewer through March 2003

Thomas Riley, O.D. will act as reviewer of continuing education courses through the March 14, 2003, meeting. Dr. Lund Chin will provide back up if needed.

13. Budget Report

The Board considered revenue and expenditure for the month ending October 31, 2002.

14. Other Open Session Business

14.1 Election of officers for 2003.

The Board unanimously agreed to the following officers for 2003:

Chair:	R. Richard Ryan, O.D.
Vice Chair:	Lund Chin, O.D.
Secretary:	Jeffrey Sutro, O.D.

CLOSED SESSION:

15. Review of Licensing Applications

The Board considered four applications including initial licensure and reinstatement of lapsed license.

16. Disciplinary Case Review

The following cases were reviewed:

Case Number	Disposition
2002-03-0001OD	Return for additional investigation
2002-05-0004OD	Prepare a Notice of Correction
2002-09-0001OD	Closed, Not a violation
2002-11-0001OD	Close – Below Threshold
2002-11-0002OD	Close – Below Threshold

17. Other Closed Session Business

ADJOURNMENT

There being no further business, the meeting was adjourned at 3:30 p.m.

Respectfully submitted:

Judy Haenke, Program Manager

Approved:

R. Richard Ryan, Jr., O.D., Chair